

BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON DC 20268-0001

RECEIVED  
JUL 9 11 20 AM '02  
POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

Complaint on Sunday  
and Holiday Collections

Docket No. C2001-1

INITIAL BRIEF OF DAVID B. POPKIN  
July 9, 2002

Respectfully submitted,

July 9, 2002

David B. Popkin, PO Box 528, Englewood, NJ 07631-0528

---

**INTRODUCTION**

1. The complaint was filed on October 27, 2000.
2. Based on the information contained in the Domestic Mail Manual [G011 Exhibit 1.5] and Postal Operations Manual [Exhibit 125.22], the Postal Service states that mail collections will be performed on holidays. The Domestic Mail Manual provides information to the public while the Postal Operations Manual contains internal instructions for the Postal Service.
3. There are a total of ten holidays throughout the year - six of them are widely observed while the remaining four are not widely observed.
4. Library Reference USPS-LR-C2001-1/6 indicates some 358 facilities in eleven areas throughout the country.

**CONCERNS**

5. There are three major concerns that I have in this proceeding. The first concern is the variation that takes place throughout the country between what takes place at what facility and on what holiday and what changes from year-to-year. There seems to be no rhyme or reason as to whether a given plant will be processing mail on a given holiday. It seems that individual decisions are being made on whether or not the plant feels that it can "get away" without processing mail.

6. The second is the publicity, or in reality the lack of publicity, that is provided to the mailing public as to the level of service on and around a given holiday. Collection boxes show holiday collection times but are not collected on all ten holidays; collection boxes without holiday collection times are collected on some holidays; collections are only made at the processing plant; collections are only made at the box in front of the post office; collections are made at only time-decal boxes; collections are made at all boxes; collections are made on a normal weekday schedule; weekday collections are made on a normal Saturday collection.

7. Publicity ranges from none to considerable. Some of the publicity may be confusing such as stating that collections on the day before a holiday will be completed by 12 noon [when will it start and how early do I have to mail my letter to ensure that it will be collected that day]; or stating that all collection boxes will be collected at 2 PM [without stating what time collections will be made if the box is normally collected before 2 PM]; or changing the policy several times before the holiday. There are times when a knowledgeable mailer [who knows that a check should be made since there is a likelihood that the posted collection will not be made] will receive conflicting information by calling the local post office and/or the 1-800-ASK-USPS call center. The publicity that appears to show the greatest lack of concern in ensuring that the mailers will be aware of the actual collection policy is the small classified advertisement that was buried along with the ads for used cars in the *New York Daily News* for the July 4<sup>th</sup> holiday.

8. The third concern is the adequacy of service that is being provided to the mailing public. If there is no service on a Saturday or Monday holiday, there will be two consecutive days without outgoing mail service. The ultimate in disruption of service probably took place in Manhattan [New York City] on the July 4<sup>th</sup>, 2000 holiday. The holiday fell on a Tuesday. On Monday, July 3<sup>rd</sup>, the Postal Service made collections with the normally scheduled Saturday collection. Most of the in-building collection locations in Manhattan do not have a scheduled Saturday collection. Therefore, letters that were mailed after the final collection on Friday afternoon June 30<sup>th</sup> did not get collected until Wednesday July 5<sup>th</sup>, some five days later.

## **SOLUTIONS**

9. The Postal Service should be required to evaluate the level of service that it will provide in the future and modify the Exhibits in the DMM and POM so that the public will be aware of the service levels that will be provided on both the holiday and the days surrounding the holiday. The format of these Exhibits is excellent and they should be updated to show the current policies and actions taken as a result of any Commission Report issued in this Docket.

10. In general, normal collection service should be provided on the not widely observed holidays. Most businesses are open on these days and therefore there is a need for the service.

11. With respect to collections, there is only one level of publicity that will meet the needs of the mailing public. The collection box label must show the time that the box will be collected. Anything else will result in mailers either being misled by thinking that their mail will be collected [Christmas eve - Tuesday, December 24, 2002 is a Monday through Friday non-holiday and should be collected at the times for a "normal" Tuesday] or not being able to have their mail dispatched because they were unaware that a collection was being made on a holiday [even though the box indicated there would be no holiday collection].

12. If the notice does not appear on the individual collection box, all of the other publicity that might be made, press releases, newspaper stories, radio/TV announcements, post office lobby posters, etc. can still leave some mailers unaware of the actual conditions. For example, I notice that Fedex has posted a notice on the box in front of the Englewood Post Office that the normal 7:30 PM weekday collection will not be made on July 4<sup>th</sup> and will be made at 4 PM on July 5<sup>th</sup>. I also noticed that the Mobile, Alabama post office modified its collection labels so as to be holiday specific.

13. There is one problem with the Fedex solution noted above. An infrequent user of the service would know that the box was collected on weekdays at 7:30 PM would be rather upset arriving at the box at 5 PM on July 5<sup>th</sup> only to find that the article would not be collected. This is another reason to come up with a permanent solution to the collection policy.

14. An important feature of providing adequate service to the mailing public is to make the most use of the transportation available. For example, on Christmas eve, an

office might make collections at 12 noon and yet have a dispatch from the post office to the processing plant at 5 PM [this trip is necessary to ensure that mail collected by the carriers on their delivery routes would be dispatched that day]. While I may not agree with the 12 noon collection at boxes throughout the city, I am very much concerned that the final collection in front of the post office is not made at shortly before the final dispatch to the processing plant.

#### **OTHER CONCERNS**

15. While the closing of retail window service on days before and/or after a holiday is not directly a part of this Complaint, it is associated with the same concern. If the retail window closes early on the day before a holiday, a mailer's ability to introduce mail into the system is reduced just as if the collection time was advanced. This is even more of a concern now that stamped mail over one pound must be presented over a retail window.

16. The failure of the Postal Service to properly respond to DFC/USPS-19 and the associated Rulings and Orders with respect to provision of the CBMS database had an effect on the participants' ability to fully litigate the Complaint.

#### **CONCLUSION**

17. The Commission should arrive at the conclusion that the Postal Service did not seek an advisory opinion when making the changes to its holiday collections.

18. The Commission should issue a report stating that the Postal Service should arrive at a permanent solution to its collection policy on and around holidays and modify the Exhibits in the Domestic Mail Manual and Postal Operations Manual to reflect that policy. Furthermore, the labels on the collection boxes should be printed so as to fully indicate the level of service provided at that box on and around the various holidays.

---

#### **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon the required participants of record in accordance with Rule 12.

July 9, 2002

David B. Popkin